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C O N F I D E N T I A L BUCHAREST 000804

SIPDIS

E.O. 12958: DECL: 10/16/2018

TAGS: [KTIA](#) [MARR](#) [PGOV](#) [PREL](#) [SOFA](#) [RO](#)

SUBJECT: ROMANIA: "TIME IS RUNNING OUT ON LEGAL FRAMEWORK FOR IRAQI DEPLOYMENTS!"

REF: A. BUCHAREST 576
[1B.](#) BUCHAREST 463
[1C.](#) BUCHAREST 057
[1D.](#) BUCHAREST 052
[1E.](#) BUCHAREST 041

Classified By: Deputy Chief of Mission Jeri Guthrie-Corn; Reasons 1.4(b) and (d).

[¶1.](#) (C) At the end of an October 16 meeting with POLMILOFF, MFA Director for Strategic Affairs Daniel Ionita said that he needed to convey quietly his concern that time was running out on a legal framework for Romania to maintain its troops in Iraq. Ionita clarified that this was not/not an issue about political will, but rather about the legal grounds for Romania's continued deployments in Iraq. He said the government could be forced to withdraw them or else risk exposure for violating national law during an election year. He noted that once Romania's Parliament recesses for the November 30 legislative elections (o/a November 3), the only options remaining are limited, with high risk politically to those who support continuing the deployment "before a new government is formed." Ionita said December's focus will be exclusively on the formation of a new government, including the naming of key ministers. He emphasized the point adding, "and you well know that there are some politicians in prominent and senior positions who do not want to see Romania continue in Iraq beyond this year. The absence of a legal framework gives them sufficient political coverage to turn the deployment into an electoral talking point." He expressed concern that there may be only two weeks before the issue could become an electoral issue. As there is likely insufficient time for Romania to work out its own SOFA arrangement with Iraq, Ionita added that the U.S. and Romania should be prepared for this to become a problem.

[¶2.](#) (C) Comment: What Ionita said is neither unexpected (reflets) nor unreasonable for Prime Minister Tariceanu's minority government that currently is fighting to hold on to its seats in Parliament, and may become increasingly desperate to demonstrate a populist sentiment without spending scarce (or non-existent) public funds to do so. Getting Romanian troops out of Iraq will fulfill Tariceanu's two-year pledge. If President Basescu -- who supports the deployment -- is forced to issue an emergency, executive decree extending the troops beyond the December deadline without a legal framework, not only will the move be challenged in constitutional court but it will also be attractive political hay for his opponents, namely the prime minister. Without sufficient legal coverage (either a SOFA or new UNSCR) that fits within the Romanian legislative calendar, Mission suggests that Iraq planners may need to consider factoring in the possibility of a Romanian troop withdrawal from Iraq in 2009. We note that in 2009, Romania was slated to be the third largest troop contributing nation in the Iraq coalition. End Comment.

TAUBMAN